THE AD HOC TRIBUNALS ORAL HISTORY PROJECT

An Interview with

Glyn Morgan

International Center for Ethics, Justice and Public Life

Brandeis University

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Q1: This is an interview with Glyn Morgan for the Ad Hoc Tribunals Oral History Project at Brandeis University's International Center for Ethics, Justice and Public Life. The interview takes place in The Hague, Netherlands, on May 25, 2015. The interviewers are Linda Carter and David Briand.

Q2: First of all, we're delighted to be able to speak with you. In looking at your fascinating background, our first question that we'd love to hear you comment on is what it was like to go from West Midlands to the ICTY [International Criminal Tribunal for the former Yugoslavia]?

Morgan: Perhaps I should tell you to start with how that all came about. I was working in West Midlands Police, which is the second biggest police force in the UK [United Kingdom], in the force intelligence department dealing with organized crime cases like drug trafficking, illegal migration, and commercial fraud. Having only left the army a few years before, I still had reserve liability. This was in the early stages of the war in Bosnia, and a lot of my counterparts were being remobilized to go back into the forces because the British army had downsized quite a lot, and then these various different conflicts around the world come along and there weren't enough people anymore.
It was just before Christmas. I'd been to I can't remember how many different Christmas parties over successive nights, and I was becoming more and more shabby, and more and more late arriving at work. On one of these mornings I was sent for by the boss, and I thought, well, finally it's caught up with me and I'm going to be in trouble now. I went in to see him and he said, "We're thinking of sending you back to Bosnia." I thought, oh no, this means my reserve liability has been activated and I'm being recalled. But then he handed over the various paperwork that had been received from the British Foreign Ministry to do with the fact that they were looking for people to go on a secondment to the Yugoslavia tribunal here in The Hague. I took the papers and I said, "Okay, this looks interesting. What's the deadline?" All the applications had to be submitted by I think it was the thirtieth of December, and this was now the twenty-second or the twenty-third, so I kind of folded the papers up and put them in my pocket and then probably went off to another party somewhere.

Then we had a big family reunion between Christmas and New Year in a hotel near where we were living. After about two days of this it was all getting a bit too much for me, so I made up some lame excuse about having to go into work. When I got to work, of course there was nothing to do except these papers lying on my desk, so I thought, okay, I might as well fill in the application form and send off the paperwork. Probably nothing will come of it but you never know. So I sent off the paperwork, and I got the job. Some time in March I was told that I was going to The Hague. At the end of April, I packed up my wife and my daughter and the things that we were taking with us, and we got in the car and we drove to Holland.
We arrived here on a big national holiday called Queen's Day. It's now King's Day because the monarch has changed. So I arrived in Holland, and everywhere was decked in orange, everybody's out in the streets drinking and partying, and I thought, wow, this is going to be a good place to live. [Laughter] The first weekend we were here it was just one big party, and then on Monday morning I had to go to work, and suddenly you start to feel, wow, this is actually serious now, isn't it? Because this is a whole level higher than what I was doing previously in the police in the UK. This is a big international organization that's going to have the crème de la crème working in it, and the kind of stuff they're dealing with is of significantly greater legal and investigative complexity and importance than what I've been doing back at West Midlands. So as I was cycling to work, I was becoming more and more nervous and apprehensive about, am I going to be good enough? Am I going to fit in here? Am I going to be found out as somebody who just took a chance and filled a form in and got the job?

But once I arrived it was such a dynamic and positive atmosphere, with people rushing around, busy doing things, and actually being glad to have somebody else along to help, and with the necessary knowledge and experience that was needed, that before I knew it I was fully into it. I was given a really good assignment to do, the people I was working with were great, and I suppose after two or three months I suddenly thought, wow, I'm so pleased that I broke away from that family holiday and went in and filled in the forms, because without that I would still be looking at criminals' telephone numbers back in Birmingham.
Q2: And had you done military intelligence work for the British military?

Morgan: Sort of. I was in an infantry regiment, but I had worked as the reconnaissance officer, who is the person responsible for leading the gathering of information. I'd also been trained as an intelligence officer, who was the person in the regimental headquarters who's responsible for receiving all of this information and processing it. Although I'd never actually performed the role of the intelligence officer, because I'd had that training I knew how things operated. Then when I went to work for the police I was trained on criminal intelligence and criminal analysis. I guess I was probably one of the first people who fused the two together, applying—because in a way that's what the ICTY was doing—it was applying criminal liability to things that had been done in a war situation. I guess it was quite a fortunate combination. Perhaps that's why I got the job. I've never really thought about the fact that I brought the two skill sets together.

Q2: Some of the first prosecutors came out of the Civil Rights Division of the Justice Department that was dealing with police brutality and organized crime—that type of thing. So, very similar to that.

Q1: Earlier you said that you thought you might be going back to Bosnia.

Morgan: Yes.
Q1: So you had had experience on the ground in the former Yugoslavia before?

Morgan: No, but my old regiment had done a six-month tour in Croatia as part of UNPROFOR [United Nations Protection Force], and then they’d gone back to Bosnia as well. They subsequently went back two or three times. There were a number of occasions when I went down to Bosnia to do investigations or other things when my regiment was there. One very famous occasion was we went to Banja Luka with a search warrant to carry out a search of the headquarters of the first Krajina corps of the Bosnian-Serb army, which was one of the biggest formations and one with the most blood on its hands.

John Ralston, then, the chief of investigations at ICTY—the chap I mentioned earlier—he was in charge of the mission. He marched up to the front doors of the corps headquarters—and an army corps has got something like thirty thousand soldiers in it, lots of tanks, heavy artillery, so it's a big, serious organization. John went up and knocked on the door and said, "I have a search warrant to search this building," and the interpreter interpreted it, and the guy on the gate kind of started laughing, saying, "Yeah, okay, go on. Go away." [Laughter] Then the NATO [North Atlantic Treaty Organization] battalion—or the UN [United Nations] battalion was my old battalion, and it was one of my friends that was commanding.

He then wheeled forward one of their armored fighting vehicles with a gun pointing towards the door of the corps headquarters. He then repeated the fact that these gentlemen have a search warrant and they would like to come in and search your
building. Would you kindly allow them to come in? And it was amazing how the presence of a tank with its barrel pointing at the headquarters suddenly changed their mindset, and they opened the door and they allowed us in.

Q1: It makes a hell of a difference. [Laughs]

Morgan: Yes, without that I'm not sure that we would have got much further. So although I'd never actually served in the army in Bosnia, the fact that my regiment were there on several occasions meant that I got to see them, so that was nice in itself as well.

Q1: Right, reconnect.

Morgan: Yes.

Q1: When you started at ICTY, were you immediately on the ground and in the field in the former Yugoslavia?

Morgan: No, because my first assignment was in a unit that was called the military analysis team. It was our job essentially to put together all of the subject matter material that would enable other people to fully understand the organization, the structure, the weapons, the tactics, the command and control of the various different military organizations—the Yugoslav army, the Bosnian-Serb army, the HVO [Hrvatsko Vijeće Obrane], which was the Croatian armed faction in Bosnia, the Bosnian army themselves,
and the Croatian army. These were the five different warring factions—and then subsequently the KLA, which was the Kosovo Liberation Army.

The reason why that was important was because most of the investigators and most of the prosecutors were from a civilian background, so they might be very good at investigating a homicide or a rape and prosecuting it as such. But when you elevate that to an international crime or genocide where, yes, it's a lot of individual murders or rapes, or destruction, or whatever it might be, you're not investigating it as a murder; you're investigating it as something that is a part of a bigger crime set, which is organized and it's systematic, and it's widespread, and it's being done by an organization. So, yes, it's an individual soldier who pulls the trigger or drops his trousers, but it's part of a much bigger organizational effort, and therefore you need to understand the organization to which these people belong who are actually carrying out the crimes.

Those organizations are essentially military organizations—in some cases paramilitary because they are the Ministry of the Interior police troops—but you need to understand that context. Without it, you're lost. I remember one situation where I got into a rather heated discussion with a senior police officer who was leading one of the investigations. He was giving his team a briefing about what they were going to and do next. I was providing the military support to them, and the way that he was speaking it became quickly apparent to me that he didn't understand the difference between a colonel, a captain and a corporal, which in terms of command responsibility is rather fundamental. At a certain point I had to say, "Excuse me, I think we might just need to clarify this point
here," and he was quite upset. Perhaps he was embarrassed that he got it wrong or he
didn't agree with me saying to him, "Actually, a colonel is higher than a captain, is higher
than a corporal."

But when you stop and think about it, if you are a civilian with no military experience,
then why would you know that? But actually you should know that. You need to know
that. Therefore, a lot of what I was doing was actually fairly simple, straightforward stuff
for somebody with a military background, but if you don't have a military background,
and brigades and battalions and platoons, and companies, and squadrons, and batteries—
what does all this jargon mean? In a lot of instances it was translating all of that jargon
into common layman's terms so that people can understand what these terms actually
mean, because if they are then going out and speaking with witnesses you have to make
sure that all the terminology is being used correctly. Otherwise, you end up building up a
case on a foundation of sand because you've got people the wrong way around, or you've
got the chain of command wrong, or whatever it might be.

I would say probably for a good six months to a year at the start when I was there, that's
what a lot of it was about—just making sure that people understood the different
structures. That also depending upon whereabouts in the former Yugoslavia their actual
criminal investigation was taking place, I could then say to them, "These were the
military formations that were in that area. It fell within this corps, commanded by this
general, and within that corps you have these divisions and these brigades and these
battalions. Therefore at the time and the place where you were doing your investigation,
the likelihood is it was this regiment, commanded by this guy. You need to speak to your witnesses and confirm if indeed that was the case." It's kind of giving them a good start or a pointer as to who they're looking for when they're reconstructing their chain of command responsibility.

Q2: Yes, I was thinking when you were talking about command responsibility—because even looking for the orders or who would have been responsible to prevent or punish any atrocities, you would have to understand all of that. Did you work closely with the prosecutors?

Morgan: Well, we—

Q1: You weren't in OTP [Office of the Prosecutor] at that time—

Morgan: Yes.

Q1: You were in OTP.

Morgan: Yes, so within the Office of the Prosecutor there were five or six investigation teams, and there was a body called the strategy team. Within the strategy team you had some people like myself who worked on military issues and others who worked on political issues. Later on that was split into the Military Analysis Team and the Leadership Research Team [LRT]. We performed very similar roles, but whereas we
talked about the military chain of command and military law and orders of battle and so on, our counterparts in the LRT talked about the constitution, and the penal code, and the powers that were held by the president as commander in chief, or the minister of Defense, or the minister of the Interior, and all of those kind of things. Again, they were providing the broader context within which the investigations would take place.

Q1: Can you speak a little bit more about your impressions, your memories of first starting out at the ICTY and in the OTP? How people came together in this new institution to start to work together? You had of course international experience with your military background, but there was the cross-pollination of cultures and people, and everybody trying to work together to put this institution together. Can you speak a little bit on that?

Morgan: I think, firstly, everybody had a very kind of positive, even excited approach to coming together into this very diverse group of people. There was a very good social life in the OTP, and I think that in itself both helped and evidence is the fact that everybody was getting on very well together. There was an incredible sense of purpose and of the need to as quickly and effectively as we could to achieve what we were there to do. I think probably the biggest surprise for people was not so much the fact that we came from different countries, but perhaps the fact that we were suddenly working in these very mixed teams of police investigators, legal prosecutors, military analysts, and legal researchers, which you probably would never find in a domestic jurisdiction.
Certainly in my country, in the UK, the police do all the investigating and then hand it over to the lawyers who do the prosecuting. In other countries, in the sort of the civil law systems, you have a much closer judicial control through the investigation phase and so on. I think that was more of an issue that people had to come to terms with. Perhaps also the fact that within the OTP then, the investigation section was heavily influenced by common law countries—so Brits, Americans, Canadians, Australians, New Zealanders—whereas the judicial side was much more international in its approach. I didn't experience this at my level, but I think there was a lot of—maybe not conflict, but a lot of kind of finding the way between a lead investigator who's come from a common law background and the prosecutor who's come from a civil law background, and yet they have to work together almost side by side, two desks facing each other, in charge of leading a team of people who are working together to investigate a certain issue.

I suppose on top of that, the fact that we were all working within the confines of the ICTY Rules of Evidence and Procedure, which none of us had any experience of. People knew about the Geneva Convention and the Genocide Convention and so on, but when it actually comes to, how do you take a witness statement, do you video it, do you tape record it, do you just write notes, do you write a first person account which you then read back to them and they sign it? All of these things were kind of being made up as we were going along. I suppose, because most of the investigative side were from the common law system, that tended to prevail. But then you're handing over a common law investigative product to a civil law prosecutor to prosecute it, so you had all these kind of—not conflicts, but just disconnects between the way in which things worked. Of course, over
time that irons itself out, either smoothly or otherwise. There does come about a means of working together such that that's not the big issue. The big issue is the war crimes and the perpetrators, and those problems are merely the things that have to be ironed out along the way.

Q2: Glyn, you talk about that you introduced a new analytical regime as part of the Serb military faction desk when you first got there. Could you explain a little bit about that to us and what it was and how it worked?

Morgan: It was a combination of kind of bringing in the criminal intelligence approaches that I'd been taught in the police in the UK, and we introduced a new database and a new set of analytical software tools. This made it much more possible to, rather than having eight teams with eight collections of their own information that they jealously guarded, to be able to consolidate it all-together into one, with any necessary safeguards built in so that if you don't need to know this you won't get to see it. At least trying to make sure to the greatest extent possible everybody could see everything, and therefore avoid a situation where if you have two teams that are looking at Bosnian-Serb perpetrators in neighboring municipalities, they're not just duplicating each other's interview.

Another example, like Srebrenica, where you had on the outside the Bosnian-Serb army doing bad things to the people in the middle, where on the inside Naser Orić and his paramilitaries basically holding their own people there as human shields, but also going out and attacking neighboring Serb villages for their reasons. Essentially you've got the
same place, the same events, the same time frame, the same people, but being investigated from two different sides who aren't necessarily sharing all of the information. So just to try and make sure that there was a greater sharing of that information to the greatest extent possible so that people weren't constantly reinventing the wheel.

This is another anecdote that I can't prove, but one of the things that became quite apparent was that investigators love to get the plane ticket, go to Amsterdam airport, get on a plane and go out to the field and investigating without actually bothering to look in the database first to see if the information was already there. It is quicker, it's cheaper, often that information has been judicially accepted in court, so why go out and just speak to more and more victim witnesses? It may well be that what you need to prove is already here, so have a look in the database first. Find out where the gaps are that you need to fill, because then when you go to the field, your effort is much more focused on filling those gaps rather than just speaking to more and more and more people who've suffered horrible things, which, sad as they may be, are pretty much all the same as what other people have suffered.

I think it got to the point where the crime base, as we called it, was pretty well documented. It wasn't in any doubt. It was fine for prosecuting low-level perpetrators—army sergeants, police sergeants, army lieutenants, or captains. But if you wanted to go higher up the chain of command, you need to start looking for what we call the linkage, which connects the perpetrators on the ground with the people back in army
headquarters, or the Ministry of Defense, or even in the government. That is more difficult because you don't get that from interviewing the kind of people that these people were; you get that from insiders, from documents, from looking at the speeches they've made or the agreements that they've signed, and almost reading between the lines and inferring their knowledge and the level of command that they had, and the confidence that they had in their own ability to change conduct on the battlefield.

I suppose in a way it's inevitable that if you are a homicide detective, then each murder that you investigate is different and not connected to the previous one that you've investigated, so you tend to look at each murder as a crime in itself with a much greater focus on all of the detail about it and not necessarily looking for what links it to other crimes or people who are higher up the food chain. I guess it's just changing that mindset and getting people to think a bit more in terms of the overall—the entirety or the patterns or the collective nature of it rather than individual instances.

Q2: It sounds like you were in The Hague for well the whole time, but you were also in the field part of the time.

Morgan: Yes.

Q2: Going back to that, can you describe that a little bit more?
Morgan: Yes. The first time that I went out there I went to Zagreb, in Croatia, to the headquarters of an organization called the European Commission Monitoring Mission, the ECMM, who were there not as peacekeepers but as monitors in the early days. This was in Croatia probably between 1991 and 1993 or 1994. They were there to basically monitor and report what was happening on the ground. They had accumulated a huge archive of documentation relating to what they'd been doing, what they'd seen, and what they'd reported. In the true nature of the European Union, which was at that time fifteen member states but now has twenty-eight member states, and with a rotating presidency that changes every six months, you could go into the ECMM archive and each six-months worth of documents absolutely reflected the country who had the presidency at the time.

Q1: Oh, okay.

Morgan: So those time periods when Germany was in charge, everything was absolutely perfectly collated and lined up and neatly registered and so on, whereas when other countries were in charge—perhaps some of the Mediterranean countries—there was just the bathroom and the bathtub full of documents that had been dumped in there. The building they had was a hotel, and two of the hotel rooms which had an on-suite bathroom had been taken over as the archive. They built some rudimentary bookshelves on the wall which had the documents on them, but in other places literally it was documents dumped in the bathtub and on the floor around the toilet and such. [Laughter] So me and another guy were going through all of these documents to try and pick out the
items of interest corresponding to the time and the place where our investigations were going on. This was my first taste of being in the former Yugoslavia.

I think I was there for two or three weeks. At the weekend, the guy who was in charge of our field office in Zagreb took us out on a tour and we drove from Zagreb down to the border with Bosnia, which was through the area that's called the Krajina, where a lot of the fighting in the early days had taken place. It was amazing how you'd drive down a road and just for mile after mile after mile all of the buildings on either side of the road had no roofs and big black scorch marks above the windows where they'd been set on fire—not as part of a battle that was going on but just as part of looting, ethnic cleansing—burn the houses down, chase them away and they won't come back. That's when you first see at first hand what it really is. There weren't dead bodies lying around, but there were bullet holes in the walls, there was burned-out buildings, burned-out vehicles—all the damage that you associate with a war that's happened. Suddenly then it's not just testimonies or videos or documents anymore. You're actually seeing it for real.

Q1: It's the actual—.

Morgan: Yes.

Q1: What year was that, that you did your first field mission into the former Yugoslavia?
Morgan: That was in the summer of 1995, so it was quite sometime after the fighting had finished, but these areas were still like ghost towns. The Serbs didn't want the Croats living there, but they had no desire themselves to live there. It was real dog in a manger stuff, which was repeated throughout Bosnia, but it was quite a shock at the time.

Q1: In that period, you're starting field missions in 1995, and then you're at the ICTY until 2001. Were field missions the main part of your responsibilities or it was just—?

Morgan: No, my main responsibility was more to prepare other people who were going to do the field missions, whether it was from the military perspective of—as I said earlier, in my opinion, this is the military units that were in that area at the time and therefore likely to be responsible for what you're investigating. This is the kind of uniform they wore; these were the badges they had on their arms or on their caps; these were the kinds of weapons that they had. The guy who I think was in charge looks like this; here's his photograph; his boss looked like this, and so on and so on and so on. But that's only intelligence. You are the investigators. You're going into the field. You've got to find people who can either tell you this is true, or if it's not true, to tell you who else was actually carrying out that role.

Then, when I switched to the Bosnian-Serb leadership investigation, which was the latter three years of my time there, one of the main approaches we had to the overall case was this idea of what we called "genocidal municipalities." There were one hundred and eight municipalities in Bosnia, of which sixty or seventy were under the control of the
Bosnian-Serbs. We knew that they had had a plan that had been explained by Radovan Karadžić in—not public meetings, but meetings that were attended by a lot of the Bosnian-Serb leadership, where he talked about Variant A or Variant B municipalities. In other words, municipalities where the Serbs were in the majority and controlled the police and the territorial defense forces, and had enough dominance demographically speaking that they could deal with those municipalities almost like a police action, or the other municipalities where they were in the minority so they didn't control the police or the territorial defense and therefore they had to bring in outside forces, heavy military violence to physically take control of those municipalities.

We thought that that would lead to a correspondence between those areas where we could say that genocide or genocidal-type behavior had taken place, and other municipalities where it hadn't been necessary because they could take it over quite easily. In order to be able to show that pattern of behavior, we needed a certain number of boxes to be ticked for each of those municipalities. It was decided that an efficient way of doing this would be to find a certain number of witnesses who were the actual either victims or eye witnesses to what had actually happened, and then other people who could talk about what was the political situation in that municipality—others who could talk about the police or the military situation in that municipality.

Therefore, if you can get together let's say ten witnesses, between them they can collectively tell you everything you need to know about the history, the actual conduct, and then the consequences later on in that municipality, which should be enough for us to
be able to say if a form of genocide had been committed in that municipality. I would identify twenty or thirty or forty names of people and what they could probably talk about so that when the investigators then went to speak to them, they already knew, why am I sitting down in front of this guy? He used to be the mayor, or he used to be the police chief. Therefore, these are the kind of questions that I need to ask him about. That guidance came about on the basis of information that we received usually from the Bosnian government, where they had done their own preliminary investigation, or other bodies like Human Rights Watch or Amnesty International, who would provide us with the names and some testimony from people that would describe what they'd experienced.

I could then package that together and say, "In order to be efficient, there's only five of you going. You're going for one week, so you can only interview X number of people during that time. So let's try and focus the attention on the people who are most likely to provide what we need. These are types of things that you need to get them to talk about. We don't just want to hear that you were awoken at dawn by gunfire and a man wearing a camouflage uniform came along to your house, murdered your husband, raped you and your daughter, stole all your cattle and then burnt your farm down. We've got enough of that. What we need is more of the bigger picture so that we can put the whole events in that municipality into context."

Q2: You were mentioning that you had information from the Bosnian government and from some NGOs [nongovernmental organizations]. Were you also getting—and I don't know if any of this is sensitive or not—information from NATO or from other entities?
Morgan: Yes, we got quite a lot, within the Rules of Evidence and Procedures, rule 70, which allows us to receive information from any third party for what you might call "lead generation" purposes. The understanding is that we would not introduce that into court as evidence. It's a way of protecting the source of where it's come from. Yes, some big international NGOs, some countries, states, provided us with that type of information, which they were privy to because they had the means to take photographs from high up in the sky or to listen to what people are talking about and decode it and translate it and so on. They would give that to us. That would then allow us to go and dig in the right field or go look in the right building to find something.

We then still had to actually gather the evidence itself in that field or in that building, which we could then present in court. We didn't necessarily have to say what it was that caused us to go and look in that field or in that building, but of course it was that rule 70 material that had guided us to the right place. If we wanted to, we could go back to the provider and we could say, "For this, this, and this reason, we would like to introduce that that you gave us into court," at which point they would then probably redact it or remove whatever they felt was necessary, such that by introducing it into court it protected their interests without removing the evidential value from it.

Q2: I've heard that before about satellite information that is—

Morgan: Yes, that's the classic example.
Q2: —very helpful.

Morgan: So you can probably guess whose satellites they were.

Q2: Yes, and I think some of that's public now because I've heard Justice [Richard J.] Goldstone talk about U.S. satellite information on—

Morgan: Yes, but also for ICRC [International Committee of the Red Cross], who strive very hard to remain neutral and independent and so on, but at the same time have the interests of justice and accountability at heart, so they will provide information that will help you, but you must not say where it came from and you must not use it in its original form because that would compromise them and it would put their people in danger in subsequent work that they do.

Q2: Is there anything that, when you were doing all of that work and receiving all of that information, that was particularly surprising to you in terms of either what was discovered or the military structure or connections?

Morgan: Not those things, no. I was perhaps more surprised that we didn't get more of it, because from my military experience I know what kind of things technologically advanced countries are able to gather about other countries. I think the thing that perhaps
surprised me, which was incredibly useful, was the extent to which the local newspapers would write articles that were incredibly useful to us.

Q1: Really?

Morgan: Normally along the lines of "A parade was held today in this town to present bravery medals to these soldiers from this regiment who fought in this battle on this date." Now, there's nothing to say that any of those soldiers were implicated in the crimes that took place, but what it does do is it confirms absolutely that that regiment was in that location at that time.

Q1: And now you have a list of names.

Morgan: Yes, or obituaries, soldiers who died in battle—

Q2: At that place—

Morgan: —at that place, whilst fighting for that regiment. This is very common in local newspapers anywhere in the world. I'm sure in the States in the Kentucky Herald—I don't know if such a local paper actually exists; I just made it up as an example—there'll be a section at the back about, "Your brave soldiers who've died in Afghanistan or Iraq" or wherever else. There's nothing criminal about what they've done, but through that kind of
information you can identify other—or you can get indicators about who may have been responsible for other things that did happen at that time and place.

Now that's a very very painstaking approach that you've got to gather together all of these newspaper articles from all kinds of places. We were helped greatly by a colleague of mine, a Dutch colleague who unfortunately has since passed away. He had worked as the number two to the military attaché in the Dutch embassy in Belgrade, and his boss, having retired from the army, had maintained as his hobby exactly this approach of reading the local newspapers and just making notes of which colonel commanded which regiment in which place. My colleague put me in contact with this guy and I went and visited him over in the east of Holland. He brought out all these scrapbooks of newspaper articles and photographs of these generals and medals and ceremonies and all. It was an absolute treasure trove, but from that kind of classic military intelligence perspective. You would never expect to see James Bond reading through local newspapers, writing down the names of army commanders.

A lot of this work, it's not sexy James Bond stuff; it's just painstaking detail of going through document after document after document and picking out the things that are interesting. The search warrant that I mentioned earlier in Banja Luka—we came away from there with two military trucks—two four-ton trucks—full of documents, and we brought them all back to The Hague. We had a team of military analysts, each accompanied by a language assistant who literally sat there with a box next to their desk and they picked out document after document. Now, we had registered in advance which
office in that building the documents came from, and even which cabinet and which shelf
on the cabinet, so if it came from the operations office you knew what they were going to
be about. If it came from the logistics office, or the communications office, or the
medical office, you already knew what they were going to be about.

But they were picking out these documents and reading through them, and making a
basic note of where and when and who it was about. We didn't find any smoking gun
documents. There wasn't a signed order from Radovan Karadžić saying, "Kill all the
Muslims"—there wasn't. But, for example, we found so many documents relating to the
issuance of diesel fuel to military vehicles in and around Srebrenica and eastern Bosnia in
the summer of 1995—diggers or transport vehicles that on a daily basis had left their
headquarters in Zvornik, or Bijeljina, or wherever it may have been, and come back at the
end of the day and registered their mileage—how many miles they'd driven and how
many liters of diesel they needed to refill the tank.

When our investigators were looking at the massacres that had taken place around
Srebrenica, and the gravesites, and the locations of the military units that were involved,
and then they looked at the logbooks, and they could say that, on every day, this digger
had driven fifty-seven kilometers from that brigade logistics depot—fifty-seven
kilometers to somewhere and come back again. Well, look, that mass grave is exactly
twenty-seven and a half kilometers from that base, and we from other intelligence know
that that brigade was involved in that execution. The evidence from the logbook of the
digger. Now, can you think of anything less "sexy" from a military intelligence point of view than how many kilometers a digger has driven in a certain day?

Q2: How fascinating and important.

Morgan: Yes, but when you've got all these little bits and pieces and you put them together, then suddenly you make a very, very compelling story. Indeed, it was compelling enough to convict General [Radislav] Krstić of genocide—the first time that had ever been done. And it's based upon that kind of nitty-gritty detail.

Q1: Those little details, yes.

Q2: How large a staff did you have?

Morgan: I think there was about fifteen pairs, so fifteen military analysts with a language assistant sitting next to them. One of the biggest challenges was you're always confronted with this issue of, do we go looking through the boxes for the things that are most important, and thereby risk missing things? Or, other people later on having to come back and go through those boxes again because they've got a different need? Or, do you go through the box slowly and process everything to a certain extent, which obviously takes a lot longer and means that either your investigators are sitting around waiting for some guidance, or they're going off and doing their investigations without the proper direction
that they need? It's a dilemma. It's a management problem about to what extent do you process that documentation.

In the end, what was done was literally take out the documents, what's the date, who's it from, who's it to, what's it roughly about—one line in a spreadsheet—and then move on to the next document. That more or less works. What we found was that the military analysts by and large could not speak or read Serbo-Croatian—certainly if it was written in Cyrillic alphabet you couldn't. But what you did start to realize was there were certain key words that you're interested in—either places, or ranks, or names. Once you start spotting those, it's almost a benefit that you can't read the whole document.

Q1: You can just—

Morgan: You just scan it and you see they're either there or they're not there. If you could read it, you'll probably spend five, ten minutes reading because it's interesting, but then you would only process six documents an hour and it would take forever. So there was kind of an unexpected benefit from not being able to read. Obviously you still need the language assistant there as well to make sure that you haven't missed anything, but it did greatly speed up the process.

Q2: That's fascinating.
Q1: I love this story about the tank in front of the door to get your hands on these truckloads of documents. Could you speak to any other difficulties or—I don't know if this is possible, but any cooperation that you had in the field from locals? What springs to mind when you think back at those times?

Morgan: My strongest memories about time in the field was in Kosovo in the summer of 1999 or 2000, immediately after the NATO invasion—we're not allowed to call it a NATO invasion but that effectively was what it was. We went into Kosovo immediately after the area had been secured, and the first task really was to start exhuming all the mass graves, which was a particularly unpleasant task as you can imagine, from the physical sense of working in thirty-five degree heat, the flies, the smell, and everything else that goes with it, but also from the emotional perspective as well because many of these graves were actually created by the Kosovars themselves.

Typically they had evacuated their own villages for their own security. They were hiding in the woods, in the hillside, and then at night they'd come back to the village and eat and sleep in the houses, but during the day they would be out of the village. But inevitably, when the Serb forces came along, they would either catch people in the villages or in the woods. They had this one horrible tactic where they would set fire to one side of the wood, the upwind side of the wood, and the wind would blow the smoke and the flame through the woods. It's like hunters with deer or rabbits. Then they would have their guns on the other side, and when the people come running out of the woods they could kill them quite easily.
So very often the Kosovars had buried their own people, and as quickly as they could, I think in line with the Muslim requirement that within twenty-four hours of death you should be buried. If you have the imam there you can give a burial of sorts. We go back there, six months later, and the burials had often been carried out by wrapping the body in a blanket, or a rug from the ground, and then they're buried not ever so deeply—probably a meter below the surface. As was explained to me by one of the forensic pathologists who were working with us, that creates a kind of an anaerobic environment within which the body decomposes differently to how it would normally decompose. There are no earthworms or insects that are getting in there, or bacteria, so the flesh of the body breaks down in a different way such that it comes to resemble pâté.

Q2: Oh!

Morgan: Therefore when you lift the body out of the ground—

Q1: Oh, god!

Morgan: —it comes to pieces. Actually, what they were doing is they would dig open the grave, take out the rolled up blanket, cut the string, and then lift the body out of the blanket onto the table where the forensic pathologists were going to do a post-mortem. As they opened the blanket, the smell comes out, the flies descend. The guys in the white
suits with the breathing masks on pick up the body. The first time I saw it happened, the arms and the legs come off. It's pretty horrible.

My job there was to do the liaison between the ICTY, which was doing the investigation, the NATO force that was providing the security, the what they call DVI teams—Disaster Victim Identification teams—which are civil bodies that are a combination of perhaps police and medical people who are activated when there's a plane crash, or a big natural disaster with lots of casualties where you have to identify people, dead bodies, and you identify them from their dental records and from the clothing they were wearing. We had these DVI teams from various different countries that came along to provide their forensic expertise, the military who secure the area and would do like mine-sweeping to make sure that the place wasn't booby trapped, and then local villagers who would actually come and do the digging. We offered to pay them; they didn't want payment because they said, "These are our kith and kin. We're happy to have them exhumed and examined and then we'll bury them then properly somewhere else."

They would exhume the body and they would remove the clothing from the bodies, and that clothing was then laid out separately. Anybody who'd lost a relative was interviewed to say, how old was he, what did he look like, how good were his teeth, what clothing was he wearing on the day when you lost saw him? Then all the clothing was laid out in these fields on a big tarpaulin—a big plastic sheet—that was kind of marked off in a matrix with numbers on them. Then, one by one, the family groups were invited to come along and walk around this to see if they could recognize any of the bodies. They were
coming together, the surviving family members, and they were all kind of cuddling each other for support. You could see by the look on their faces that, on the one hand, they hoped to find their missing relative so they could then have some closure and know what had happened, but on the other hand, they were hoping that they wouldn't find them because that meant there's still a chance that they're still alive somewhere.

One by one, these family groups came into this enclosure that we'd made and they would start walking around the kind of pathways that we'd laid out for them. I think with almost every single one of them—because they knew that the reason why they were there was because they knew that their people had been buried in that grave, so they knew they were going to find something. But they'd be walking around and then they would stop, and then this horrible wail would go up when they—"There is the clothes that my husband or my brother or my father was wearing at the time." It was heartbreaking just to see how they realized that, that's it, he is dead, he's not coming back, and the hope is gone, and there they are.

The question you asked was about the cooperation, and it was amazing how well everybody operated together—the military who were providing the security, the DVI teams who were examining the bodies, the locals who were doing the digging, and us who were trying to put all those different pieces together to be able to say that the general account we had from other people who've told us how the village was attacked, the forensic evidence that says that these people were killed with a single shot through the back of the head and they had their hands tied behind their backs with wire, and then the
relatives to say, "Yes, that is my—." Then you could put a name to that victim. You put a name to the story and it's not just a statistic anymore; it's a real person.

There was quite a few big burials that they carried out that were really quite grand affairs. There was a degree of propaganda in this because you had the big KLA flag flying everywhere, but really quite an impressive event where there was just row after row after row of coffins, and neatly dug graves, and gravestones, and some high levels dignitaries there giving speeches, and the senior imam or the mufti, or whatever he's called, who was there performing the ceremony, and then they're all buried, and then they all start firing their Kalashnikovs in the air, which is a bit a scary as well. It was quite a memorable experience. As you can probably tell by my reaction, that just sort of thinking about it again, it brings back the—

Q1: Yes, thank you—

Morgan: —the memories of the emotion—not just the emotion but it's also the—I don't know if you've ever smelled dead bodies. It smells like nothing else you've ever smelled before. It doesn't smell particularly—if you didn't know what it was you'd just say, well, that's a kind of a strange smell, but once you know that it's the smell of a dead body—. I think it becomes also like a psychological smell rather than a physical smell, so you go home at night and you have a shower, you scrub every inch of your body repeatedly and you put soap up your nose, but you wake in the middle of the night and you can still smell it because I think it's in your brain rather than in your nose.
Q1: Well, we're getting to the end of our time here, but maybe we can try to end on something a little bit more upbeat. [Laughter]

Q2: I have a question.

Q1: Yes, please.

Q2: In listening to you, of course the impact of being part of this, and both the important intelligence analyzing part, and then the emotional part, and seeing the reality of what occurred there, I'm wondering what your thoughts are about the accountability mechanism itself, and your thoughts about the ICTY, and whether we should have more ICTY's, or just whatever your thoughts are about whether this accountability mechanism—how important is it? How has it worked?

Morgan: I'm very proud of the fact that I worked at the ICTY. I think it was a great organization full of great people doing a great job under difficult circumstances and with no guidebook to tell us how to do it, so everything was being made up as we went along. Inevitably, some things we didn't do right and some things we didn't do quickly but eventually we got a very good system. I still think that the way in which the ICTY operated is better than how the ICC is operating now. I don't think they have learned from the mistakes that were made by the ICTY—and the ICTR [International Criminal Tribunal for Rwanda], which was going on in parallel with the ICTY. I think that the way
in which the ICTY and others have brought about an end to impunity, and, if only the
danger of accountability and not the reality of accountability, I think that has certainly
made people stop and think about, can I do these things? Maybe it's made them think, we
need to do these things in a slightly more cunning and devious way, but I think it's made
them stop and think about it.

I think there was a lot of frustration with regard to how slow things were. Indeed, this is
part of the reason why I left the ICTY. I'd been there for six years working on the
Karadžić and [Ratko] Mladić case. I'd heard many times the prosecutor, whichever one it
was, saying, "I've had assurances from NATO or from the international community that
they're going to be arrested soon," and they never were. When I left the ICTY, I
remember at my leaving party being told by Graham Blewitt, who was the deputy
prosecutor at the time—he put his hand on my shoulder like a fatherly figure and he said,
"I know you're leaving Glyn, but just have in mind that if you want to come back we will
have you back, because you know stuff that can be helpful to us." So I went away with a
kind of mixture of regret, but also thinking, well, I've got a safety net there if things don't
work at Europol, which is where I went to next.

But for the next few months, every time Yugoslavia or ICTY or Mladić or Karadžić were
mentioned on the TV, or on the radio, I became very nervous thinking, oh, shit, I've left
and they've now gone and caught them, and I'm going to miss all the fun. [Laughter] And
then six months went by, and then a year went by, and then two years, three years, five
years, and I kind of forgot about it. Then I suppose I then I started to think, well, is it just
a kind of fig leaf to say that the international community is doing something? But then, lo and behold, how many years was it? Ten or fifteen years later, both those two guys and [Slobodan] Milošević all were arrested and brought to The Hague.

I was in a bar not far away from the ICTY, which became the bar where we all used to drink, ironically because Bob Reid, who you mentioned earlier, his then girlfriend now wife, whose name is Anne Sutherland—she was celebrating her birthday. Bob went to one of the bars called The Old Jazz, and said to them, "We're having a party. How about a deal?" and they said, "No, no deal." They went to another bar across the street called De Sein, which was much less well-known and not as popular, and said to them, "I'm bringing along a hundred-plus internationals with a thirst and a wallet full of money. How about a deal?" and they said, "Yeah, of course. Bring them along." That was a fantastic business decision by the owner of that bar because he must have become a millionaire through that. [Laughter].

Anyway, the night in question when Milošević was arrested, we were all in that bar. One of our number, a British cop called Kevin Curtis, who I joined the ICTY with at the same time, he was out in Belgrade. He actually performed the arrest. We were in De Sein, in this bar. The TVs were showing the local news. There was an absolute scrum of news reporters and press vehicles around the prison, which is not that far from here. We were in that bar. As soon as we saw the announcer saying, "Yes, we've heard that the jet has landed at Valkenbosch Air Base"—which is about ten kilometers up the road—"and they're now transferring Milošević from the jet into a helicopter to bring him to The
Hague," we all came out of that bar, jumped on our bicycles, cycled over to the prison, and we were all there waiting outside the prison.

The helicopter came over; it flew over very low. You saw about five seconds of [Makes helicopter noise] lights, and it landing, and a huge cheer went up from all of us. You could see the reporters and local civilians looking on, thinking, who are these people? What's this all about? It was all the ICTY people who were just so delighted to see this guy being brought into custody, because then you realize, this isn't just an academic exercise that's writing a history book; it really is something that's going to bring people to account—and not just any old Private Smith who shot somebody, or raped one, but the guy, Mr. Big, the one at the very top who actually—he's the guy that made all that happen. Without Slobodan Milošević, the war in the former Yugoslavia may never have happened, and if it did happen may have happened in a very, very different fashion to what it did. So to see him being brought into custody was fantastic. The fact that he died before the trial had been completed was something of an anti-climax, but he died in jail surrounded by common criminals and that's where he belonged.

Q1: That's a great story to end with. Thank you so much for the time you've given us today.

Morgan: You're welcome.

Q1: Is there anything else you wanted to say in closing, or shall we finish up for the day?
Morgan: Well, there's just one other thing to mention, and it goes back to what you were saying earlier about how well people worked together. I created and ran the ICTY football team, and that was just a brilliant way of bringing together people, from police officers, military, lawyers, whatever they might be, to play football together and drink beer together afterwards.

Q2: Was it mixed gender?

Morgan: It was actually, yes. One of the British military analysts had been a semi-professional football player, and she was better than most of the guys were. She was really little as well, but she was good, and she held her own as well. I like to think that through that football not only was business done in the bar afterwards, but also links were made between the Office of the Prosecutor, and the Registry, and the Chambers, which may otherwise never ever have come about, because people were so professionally—and I suppose also mentally—separated into these different organs. You couldn't sort of collude with each other that it was interfering with justice, but so much good stuff got done, or so many relationships were made, whereby not so much shortcutting procedures but just expediting things more efficiently, because I know somebody who works down there, or he knows me, and we can speak to each other and get things done.

Q1: Great.
Q2: Great. Thank you so much.

Q1: Yes, thank you so much for the time today.

Morgan: You're welcome.

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